



7020-02

## INTERNATIONAL TRADE COMMISSION

Inv. No. 337-TA-923

### Certain Loom Kits for Creating Linked Articles

#### Institution of investigation pursuant to 19 U.S.C. § 1337

**AGENCY:** U.S. International Trade Commission

**ACTION:** Notice

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on July 1, 2014, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Choon's Design Inc. of Wixom, Michigan. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain loom kits for creating linked articles by reason of infringement of certain claims of U.S. Patent No. 8,485,565 ("the '565 patent"). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a general exclusion order, or in the alternative a limited exclusion order, and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining

access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**AUTHORITY:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2014).

**SCOPE OF INVESTIGATION:** Having considered the complaint, the U.S. International Trade Commission, on July 31, 2014, **ORDERED THAT** –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain loom kits for creating linked articles by reason of infringement of one or more of claims 2-4 of the '565 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Choon's Design Inc.

48813 West Road

Wixom, MI 48393

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Wangying

No. 301 Chang Chun 2 road #58

Jinhua, Zhejiang

China 322000

Island In The Sun LLC

175 Courts Lane

Little Rock, AR 72222

Quality Innovations Inc.

12941 Ramona Boulevard, Suite D

Irwindale, CA 91706

Yiwu Mengwang Craft & Art Factory

7F, 2 Unit, No. 290 of Jingfa Road

Yiwu City, Zhejiang

China

Shenzhen Xuncent Technology Co., Ltd.

2<sup>nd</sup> Floor-A, Building 1, Building 1, 5, 6

Zhulongtian Road

Fourth Industrial Zone, Shuitian Community

Shiyan Street, Baoan District

Shenzhen, Guangdong

China

Altatac Inc.

532 Mateo Street

Los Angeles, CA 90013

My Imports USA LLC

75 Ethel Road

Edison, NJ 08817

Jayfinn LLC

3875 E. Cloudburst Drive

Gilbert, AZ 85297

Creative Kidstuff, LLC

3939 46<sup>th</sup> Street

Minneapolis, MN 55406

Hongkong Haoguan Plastic Hardware Co., Limited

Industry Part of Gong Chuang Ying, No. 8 of

NanDan Road of Nanwan Sreet, Long Gang

District

Shenzhen, Guangdong

China 518100

Blinkee.com, LLC

769 Center Street, PMB 58

Fairfax, CA 94930

Eyyup Arga

194 Westminster Place

Lodi, NJ 07644

Itcoolnomore

Room 401, Unit 3, Building 15, Xiawan

G 2<sup>nd</sup> District Yiwu

Jinhua, Zhejiang

China 322000

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(3) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Jennifer D. Rohrbach

Supervisory Attorney Advisor

Issued: August 1, 2014